

## REMARKS

Claims 1-50 were rejected under 35 U.S.C. 102(e) over U.S. patent no. 6,787,415 to Chung et al.

Claim 1 recites a pedestal that “physically contacts two … conductive lines” each of which provides “conductive gates to … memory cells”.

In their REPLY TO OFFICE ACTION filed July 24, 2006, the applicants pointed out that Chung’s pedestal 340 of Fig. 3B contacted only one wordline 160, not two wordlines as recited in Claim 1. The examiner responded:

Chung, in col. 5, lines 1-34, and in figure 6, discloses the pedestal contacting the word lines on either side of … the pedestal …

This is respectfully traversed. Chung’s Fig. 3B indeed shows two lines 160 on respective different sides of pedestal 340, but only one of these lines 160 provides “conductive gates to the memory cells” as recited in Claim 1. The line 160 on the right side of the pedestal can be removed before the memory fabrication is completed (as shown in Fig. 7 and described in column 5, lines 30-31). Chung does not teach or suggest that the line 160 which can be removed can nonetheless provide “conductive gates to the memory cells” as recited in Claim 1. See MPEP 2131 (“TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM”); MPEP 706.02 (“for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention”).

If the examiner disagrees, an explanation is respectfully requested.

Independent Claims 22, 42 are believed to be allowable for similar reasons.

If a fee is required for this submission, please charge the fee or any underpayment thereof, or credit any overpayment, to deposit account 50-2257.

Any questions regarding this case can be addressed to the undersigned at the telephone number below.

Respectfully submitted,



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